

**REMARKS**

Applicants have amended the specification to claim priority to a co-pending and commonly assigned United States provisional patent application as provided for under 37 C.F.R. § 1.78(a)(2). No new matter has been added.

Applicants have amended the claims to correct informalities discovered during the preparation of this amendment. Specifically, claims 57 and 59-61 have been amended to present proper antecedent basis for the claim language therein as well as to correct typographical errors. No new matter has been added.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned **"Version with markings to show changes made."**

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 06-2380, under Order No. DO-047586/P063US/10026081 from which the undersigned is authorized to draw.

Dated: September 7, 2001

Respectfully submitted,

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**Version With Markings to Show Changes Made**

The paragraph at page 1 following the heading "Related Applications" has been amended as follows:

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The present application is related to co-pending United States provisional patent application serial number 60/190,009 entitled "Space-Time and Space-Frequency Hopping for Capacity Enhancement of Mobile Data Systems," filed March 17, 2000, to which the benefit of priority of filing is hereby claimed and the disclosure of which is hereby incorporated herein by reference, and the present application is also related to co-pending United States provisional patent application serial number 60/234,722 entitled "Space-Time Hopping for Capacity Enhancement of Mobile Data Systems," filed September 22, 2000, to which the benefit of priority of filing is hereby claimed.

The claims have been amended as follows:

57. (Amended) The method [for] of claim 56<sub>2</sub> wherein a forward link data rate for each subscriber unit is determined from [the] a pilot signal-to-interference ratio, [the] an antenna array gain, and [the] an interference diversity gain estimated from [the] statistics of [the] an interference environment.

59. (Amended) The method of claim 53, [in which for] wherein the forward link time slot assignment is switched at a rate less than an interleaving frame rate.

60. (Amended) The method [for] of claim 59<sub>2</sub> wherein a forward link data rate is determined for each subscriber unit by monitoring [the] signal quality of [the] a traffic signal-to-interference ratio.

61. (Amended) The method of claim 59, [in which the] wherein a number of simultaneous forward link beams is maximized at each switching interval to maximize throughput for a fixed transmit power.